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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

DARMANJOT SINGH,
Defendant.

CASE NOS. 5:23-MJ-00037-CDB
1:24-CR-00098-JLT-SKO

STIPULATION TO VACATE PRELIMINARY
HEARING AND SET CHANGE OF PLEA
HEARING

Plaintiff United States of America, by and through its attorney of record, Assistant United States Attorney ANTONIO J. PATAKA, and defendant DARMANJOT SINGH, both individually and by and through his counsel of record, TIMOTHY HENNESSY, hereby stipulate as follows:

1. The Complaint in this case was filed on September 29, 2023, and defendant first appeared before a judicial officer of the Court in which the charges in this case were pending on December 14, 2023.

2. On December 14, 2023, the Court found good cause to continue the preliminary hearing to January 17, 2024, and excluded time under the Speedy Trial act from December 14, 2023, to January 17, 2024. On January 3, 2024, the Court found good cause to continue the preliminary hearing to February 15, 2024, and excluded time under the Speedy Trial act from January 17, 2024, to February 15, 2024. On January 30, 2024, the Court found good cause to continue the preliminary hearing from February 15, 2024, to March 5, 2024, and excluded time under the Speedy Trial act from February 15,

2024, to March 5, 2024. On February 28, 2024, the Court found good cause to continue the preliminary hearing from March 5, 2024, to April 11, 2024, and excluded time under the Speedy Trial act from March 5, 2024, to April 11, 2024. On April 3, 2024, the Court found good cause to continue the preliminary hearing from April 11, 2024, to May 16, 2024, and excluded time under the Speedy Trial act from April 11, 2024, to May 16, 2024.

3. On May 14, 2024, the government filed an Information (1:24-CR-00098-JLT-SKO) charging the defendant with Possession with Intent to Distribute Methamphetamine, in violation of 21 U.S.C. § 841(a)(1).

4. By this stipulation, the parties jointly move to vacate the preliminary hearing set for May 16, 2024, set a change of plea hearing for June 17, 2024, and exclude time between May 16, 2024, and June 17, 2024, 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

5. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes reports, photographs, videos, audio recordings, criminal history records, etc... All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) Counsel for defendant desires additional time consult with his client, review discovery, prepare for the change of plea hearing, and otherwise prepare for sentencing.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of May 16, 2024 to June 17, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]

1 because it results from a continuance granted by the Court at defendant's request on the basis of
2 the Court's finding that the ends of justice served by taking such action outweigh the best interest
3 of the public and the defendant in a speedy trial.

4 6. Nothing in this stipulation and order shall preclude a finding that other provisions of the
5 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
6 must commence.

7 IT IS SO STIPULATED.

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9 Dated: May 15, 2024

PHILLIP A. TALBERT
United States Attorney

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11 /s/ ANTONIO J. PATACA
ANTONIO J. PATACA
Assistant United States Attorney

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14 Dated: May 15, 2024

/s/ TIMOTHY P. HENNESSY
TIMOTHY P. HENNESSY
Counsel for Defendant
Darmanjot Singh

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18 **ORDER**

19 Upon the parties' stipulation dated May 15, 2024, and for good cause shown, the preliminary
20 hearing that is scheduled for May 16, 2024, is HEREBY VACATED, and the matter shall be scheduled
21 before the assigned district judge in Case No. 1:24-cr-00098-JLT-SKO (Hon. Jennifer L. Thurston) on
22 June 17, 2024, at 9:00 a.m. Time under the Speedy Trial Act shall be excluded from May 16, 2024,
23 through June 17, 2024, for the reasons set forth in the parties' stipulation, pursuant to 18 U.S.C. §§
24 3161(h)(7)(A) and (h)(7)(B)(iv).

25 IT IS SO ORDERED.

26 Dated: May 15, 2024

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UNITED STATES MAGISTRATE JUDGE